

Joseph P. Kalinowski, Esquire
410 Jefferson Avenue
Scranton, PA 18510
(570) 961-1414
PA Bar ID#: 83380

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

vs.

MAURICE FAULKNER,

Defendant

Judge Mansion

Case No.: 3:23-CR-26

Filed via ECF

SENTENCING MEMORANDUM

On April 4, 2024, the Defendant, Maurice Faulkner, appeared before the Court and entered a guilty plea to count 1, Conspiracy to Distribute and Possess with Intent to Distribute Fentanyl. The Court directed the completion of a pre-sentence report ("PSR"). The PSR was completed and disclosed to the parties. With regard to count 1, the base offense level is 25 with a criminal history category III. The applicable guideline range is 70 to 87 months.

Mr. Faulkner is 39 years of age and currently resides in Wilkes-Barre. He requests the Court consider the following when determining the sentence in this case. Mr. Faulkner possesses a criminal prior record. However, it should be noted that despite recent arrests, his last conviction for a misdemeanor or felony was in 2015. It is submitted that he has no other pending criminal matters.

Mr. Faulkner had a difficult childhood. He grew up without his father, who was a drug addict and physically abusive to Mr. Faulkner's mother. He would witness these

acts of domestic violence which were so severe that he feared leaving his bedroom and began wetting his bed. He was raised by his mother in Brooklyn, NY. There, he witnessed street violence, drug use and trafficking. He is undereducated and was bullied for many years due to being in special education classes. At this point in his life, Mr. Faulkner lacked a positive male influence. He did not have anyone in that role to mentor him in life and how to deal with issues of bullying, finishing school and avoiding the wrong crowd. His mother did her best to provide for his basic needs but ultimately most of what he learned in life were from the streets of Brooklyn.

Mr. Faulkner suffers from kidney disease. He required regular dialysis for almost 10 years before he received a new kidney in 2019. Unfortunately, for the past two years Mr. Faulkner has been experiencing complication with his kidney. He currently requires dialysis, plasma treatments, medication and regular visits with his doctor. Due to his current health condition, he is required to take multiple medications and his physical actions are limited. As of the writing of this memorandum, Mr. Faulkner's health has not significantly improved.

Mr. Faulkner began abusing prescription opioids in 2018. His addiction stemmed from his legal use of pain medication for his kidney treatments. He was prescribed highly addictive medications and was experiencing severe pain. Thus, Mr. Faulkner's drug use increased in a losing effort to combat the addictive nature of his medication and daily pain. It is submitted that during the commission of his criminal acts, Mr. Faulkner continued to suffer from addiction and was not availing himself of appropriate treatment and rehabilitation. Further, Mr. Faulkner has a history of mental health illness beginning in his childhood. He was experiencing uncontrollable outbursts and was

medicated. As an adult, he required inpatient hospitalization for his mental health. Similarly with his addiction, at the time of his criminal conduct, Mr. Faulkner was not adequately treating his mental and emotional health.

Since his arrest and release from pretrial detention, Mr. Faulkner has led a productive life. He has been compliant on pretrial services. He since his initial drug test, he has provided negative drug screens. He has reported and remained in contact with his pretrial services officer. He is working full-time for Adidas. Although his job consists of light duty, he works the 5:00 PM to 4:30 AM shift. Mr. Faulkner has the benefit of a strong support group consisting of his family and friends. He has separated himself from past negative influences. Mr. Faulkner wants to continue to lead a productive and law abiding life.

Mr. Faulkner accepts responsibility for his criminal conduct. He is ashamed of his actions and knows he let down his family and friends. Being an addict himself, Mr. Faulkner understands how his actions contributed to the suffering of other people addicted to drugs. He is troubled by the fact that his actions could be the cause of suffering by others. He truly understands that actions have consequences, and further wants the Court to know that he understands that he must serve jail time for his actions. Mr. Faulkner asks the Court to consider his rehabilitative and medical needs and his ability to be a productive member of society. He asks the Court to sentence him below the applicable guideline range under 3553(a).

Respectfully submitted:

/s/ Joseph P. Kalinowski, Esquire
JOSEPH P. KALINOWSKI, ESQUIRE
Attorney for the Defendant

August 23, 2024

Joseph P. Kalinowski, Esquire
410 Jefferson Avenue
Scranton, PA 18510
(570) 961-1414
PA Bar ID#: 83380

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

vs.

MARICE FAULKNER,

Defendant

Judge Mansion

Case No.: 3:23-CR-26

Filed via ECF

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the Defendant's Sentencing Memorandum was served upon the following via ECF:

Robert O'Hara, Esquire
Assistant U.S. Attorney

August 23, 2024

/s/ Joseph P. Kalinowski, Esquire
JOSEPH P. KALINOWSKI, ESQUIRE
Attorney for the Defendant